

REMARKS

Drawing Objection

The drawings were objected to with respect to claim 52 said not to illustrate the recited support means.

Claim 52 is amended to correct a misspelling.

The support means may be exemplified by shaft receiving portions 11 and 11a, illustrated by Figure 1 as receiving and supporting a part of the shaft 7.

In Figure 4 there is illustrated a shaft 7 which is inserted into slot 5 by the pin or dowel 30 being inserted through an aperture 32 in the holder 31 and engaging a holder engagement portion which includes a slot 5 in a bracket, generally referenced 40. In a preferred embodiment the pin or dowel 30 may be rotated within the slot 5 until depressions 28 in the projections 6 engage with one or both projecting ribs 33 on an internal surface of the bracket adjacent to the slot 5 (Figures 6-7). The shaft is thereby supported.

Withdrawal of the drawing objection is solicited.

Claim Rejection Under 35 U.S.C. § 112

Claims 43-56 stand rejected under 35 U.S.C. § 112, second paragraph, as indefinite, stating that there is insufficient antecedent basis for the limitations "attachment device connector" and "holder connector".

The specification has been amended to provide the necessary antecedent basis.

Withdrawal of the rejection is solicited.

Claim Rejections Under 35 U.S.C. § 103

Claims 43-48 and 50-56 stand rejected as obvious over Leasure 6,679,465 in view of Kurtz 5,996,957.

Claim 49 stands rejected in further view of Trautman 6,942,131.

Applicants traverse.

The Official Action has not addressed all the features recited in claim 43.

Claim 43 recites a holder connector and an attachment device connector which, when engaged, allow relative angular movement between the object attachment device and the holder in a selected plane.

In use, this relative angular movement means that the holder tends to rotate to the generally vertical position, regardless of variations in the orientation of the object attachment device.

The present invention therefore has a particular advantage for holding drink containers attached to vehicles in that it prevents spillage of any liquids despite a rocking movement. Leasure, the primary citation relied upon by the Examiner in rejecting the claim, discloses complementary engaging

ratchet surfaces on the object attachment device (first member or base plate 22) and the holder (second member or bow rest 42) which retain the object attachment device and the holder in a fixed relative relationship when the holder connector and attachment device connector are engaged (Leasure, column 2, lines 30~32 and column 2, lines 53-55).

The secondary citation, Kurtz, similarly discloses a rotatable locking mechanism (Kurtz column 4, lines 12-30) which allows the orientation of the beverage holder to be adjusted, but does not allow relative angular movement between the object attachment device and the holder when engaged, as recited in the claim.

The above-mentioned feature of claim 43 is not disclosed by either Leasure or Kurtz, and both disclosures, by including locking connectors, in fact teach away from the present invention. Thus, one of skill would not modify these references in the manner recited by claim 43.

Therefore, the prior art lacks an essential element needed for a prima facie obviousness rejection.

Further, applicants strongly reject that one of skill in the art of drink container holding devices would look to the field of archery or hunting for any usable teaching. Use of this reference for a drink container holding device appears to be a clear hindsight searching of unrelated prior art. Thus, this is another reason the rejection is not viable.

The dependent claims are allowable at least for depending from an allowable claim.

Allowance of all the claims is solicited.

Entry of the above amendments is earnestly solicited. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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